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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/365,613	08/02/1999	GUNTER WOLF		2005

7590 11/07/2002

MANATT, PHELPS & PHILLIPS, LLP
1001 PAGE MILL ROAD
BUILDING 2
PALO ALTO, CA 94304-1006

[REDACTED] EXAMINER

DEXTER, CLARK F

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 11/07/2002

✓

Please find below and/or attached an Office communication concerning this application or proceeding.



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Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/365,613 08/02/99 WOLF

G

QM12/0118
ROBERT W BECKER & ASSOCIATES
11896 N HIGHWAY 14
SUITE B
87059 TIJRAS
MEXICO

AIR MAIL

EXAMINER

DEXTER, C

ART UNIT

PAPER NUMBER

3724

DATE MAILED:

01/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/365,613	Applicant(s) Wolf et al.
	Examiner Clark F. Dexter	Group Art Unit 3724

- Responsive to communication(s) filed on _____
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- Claim(s) 1-17 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) _____ is/are rejected.
- Claim(s) _____ is/are objected to.
- Claims 1-17 are subject to restriction or election requirement.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on _____ is/are objected to by the Examiner.
- The proposed drawing correction, filed on _____ is approved disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All Some* None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) 08/900,101.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3724

DETAILED ACTION

Election/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-15, drawn to a mold, classified in class 425, subclass 470.
- II. Claims 16 and 17, drawn to a grip for a working tool, classified in class 30, subclass 383.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case, the product as claimed can be made by another and materially different apparatus.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Art Unit: 3724

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



Clark F. Dexter
Primary Examiner
Art Unit 3724

cf
September 20, 2000

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 8/2/99 are:

- approved by the Draftsperson under 37 CFR 1.84 or 1.152.
 objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

- | | |
|--|--|
| <p>1. DRAWINGS. 37 CFR 1.84(g): Acceptable categories of drawings:
 <input type="checkbox"/> Black ink. Color drawings are not acceptable until petition is granted.
 <input type="checkbox"/> Color drawings are not acceptable until petition is granted.
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Pencil and non black ink not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84 (b)
 <input type="checkbox"/> 1 full-tone set is required. Fig(s) _____
 <input type="checkbox"/> Photographs not properly mounted (must use bristol board or photographic double-weight paper). Fig(s) _____
 <input type="checkbox"/> Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(e)
 <input type="checkbox"/> Paper not flexible, strong, white, and durable.
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) <u>13203</u>
 <input type="checkbox"/> Mylar, vellum paper is not acceptable (too thin).
 <input type="checkbox"/> Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
 <input type="checkbox"/> 21.0 cm by 29.7 cm (DIN size A4)
 <input type="checkbox"/> 21.6 cm by 27.9 cm (8 1/2 x 11 inches)
 <input type="checkbox"/> All drawing sheets not the same size.
 <input type="checkbox"/> Sheet(s) _____
 <input type="checkbox"/> Drawings sheets not an acceptable size. Fig(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins:
 <input type="checkbox"/> Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm
 SIZE: A4 Size
 <input type="checkbox"/> Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm
 SIZE: A4 Size
 <input type="checkbox"/> Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm
 <input type="checkbox"/> Margins not acceptable. Fig(s) _____
 <input type="checkbox"/> Top (T) _____ Left (L) _____ Right (R) _____ Bottom (B) _____</p> <p>6. VIEWS. 37 CFR 1.84(h)
 REMINDER: Specification may require revision to correspond to drawing changes.
 Partial views. 37 CFR 1.84(h)(2)
 <input type="checkbox"/> Brackets needed to show figure as one entity.
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Views not labeled separately or properly.
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Enlarged view not labeled separately or properly.
 <input type="checkbox"/> Fig(s) _____</p> <p>7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)
 <input type="checkbox"/> Hatching not indicated for sectional portions of an object.
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p> | <p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
 <input type="checkbox"/> Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p>9. SCALE. 37 CFR 1.84(k)
 <input type="checkbox"/> Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.
 <input type="checkbox"/> Fig(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, & LETTERS.
 <input type="checkbox"/> 37 CFR 1.84(i)
 <input type="checkbox"/> Lines, numbers & letters not uniformly thick and well defined; clean, durable and black (poor line quality).
 <input type="checkbox"/> Fig(s) <u>13-203</u>
 <input type="checkbox"/> Solid black areas pale. Fig(s) _____
 <input type="checkbox"/> Solid black shading not permitted. Fig(s) _____
 <input type="checkbox"/> Shade lines pale, rough and blurred. Fig(s) _____</p> <p>11: SHADING. 37 CFR 1.84(m)
 <input type="checkbox"/> Solid black areas pale. Fig(s) _____
 <input type="checkbox"/> Solid black shading not permitted. Fig(s) _____
 <input type="checkbox"/> Shade lines pale, rough and blurred. Fig(s) _____</p> <p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS.
 <input type="checkbox"/> 37 CFR 1.84(p)
 <input type="checkbox"/> Numbers and reference characters not plain and legible.
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Figure legends are poor. Fig(s) _____
 <input type="checkbox"/> Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1)
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> English alphabet not used. 37 CFR 1.84(p)(2)
 <input type="checkbox"/> Fig(s) _____
 <input type="checkbox"/> Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3)
 <input type="checkbox"/> Fig(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q)
 <input type="checkbox"/> Lead lines cross each other. Fig(s) _____
 <input type="checkbox"/> Lead lines missing. Fig(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(l)
 <input type="checkbox"/> Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
 <input type="checkbox"/> Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w)
 <input type="checkbox"/> Corrections not made from prior PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152
 <input type="checkbox"/> Surface shading shown not appropriate. Fig(s) _____
 <input type="checkbox"/> Solid black shading not used for color contrast.
 <input type="checkbox"/> Fig(s) _____</p> |
|--|--|

COMMENTS

REVIEWER JMDATE 8/2/99

TELEPHONE NO. _____

ATTACHMENT TO PAPER NO. 2

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	4500
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ST. TIME	01/28 17:48
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RESULT	OK



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GROUP 3720 FACSIMILE TRANSMITTAL

DATE: January 28, 2003

TO: Ms. Maryann Copas

PHONE: (505)286-3511

FAX: (505)286-3524

SERIAL NO: 09/365,613

ATTY. DK.#:

FROM: Clark Dexter

PHONE: (703)308-1404 **AU:** 3724

FAX NUMBERS:

(PLEASE FAX PAPERS TO THE NUMBER INDICATED BELOW)

FORMAL PAPERS: (703)305-3579/3580/3590

DRAFT PAPERS: (703)305-9835

COMMENTS: The following is a copy of the restriction requirement mailed originally on January 18, 2001 and remailed on November 7, 2002, both to the wrong address.



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OF PAGES: 7
(INCLUDING COVER SHEET)